

HOUSE JOINT RESOLUTION 789

By Miller L

A RESOLUTION to propose amendment of Article XI, Section 5,  
of the Constitution of the State of Tennessee,  
relative to lotteries.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED  
THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE  
CONCURRING, that a majority of all the members of each house concurring, as shown by the  
yeas and nays entered on their journals, that it is proposed that Article XI of the Constitution of  
Tennessee be amended by deleting Section 5 in its entirety and by substituting instead the  
following:

Section 5. Lotteries.

The legislature shall have no power to authorize lotteries for any purpose,  
and shall pass laws to prohibit the sale of lottery tickets in this state, except that  
the legislature may authorize a state lottery if the net proceeds of the lottery's  
revenues are allocated to provide financial assistance to citizens of this state to  
enable such citizens to attend post secondary educational institutions located  
within this state. The excess after such allocations from such net proceeds from  
the lottery shall be appropriated to:

- (1) Capital outlay projects for K-12 educational facilities; and
- (2) Early learning programs and after school programs.

Such appropriation of funds to support improvements and enhancements  
for educational programs and purposes and such net proceeds shall be used to  
supplement, not supplant, non lottery educational resources for educational  
programs and purposes.

A state lottery means a lottery of the type such as in operation in Georgia,  
Kentucky, and Virginia in 2000. The state lottery authorized in this section shall

be implemented and administered uniformly throughout the state in such manner as the legislature, by general law, deems appropriate.

All other forms of lottery are expressly prohibited except:

(1) Lotteries authorized by a two-thirds vote of all members elected to each house of the general assembly for an annual event operated for the benefit of a 501(c)(3) organization located in this state, as defined by the 2000 United States Tax Code or as may be amended from time to time; and

(2) Casino gambling authorized by the legislature, by general law, including slot machines, roulette wheels, craps, and other games of chance associated with casinos.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Fourth General Assembly and that this resolution proposing such amendment be published by the secretary of state in accordance with Article XI, Section 3, of the Constitution of the State of Tennessee.

BE IT FURTHER RESOLVED, that the clerk of the house of representatives is directed to deliver a copy of this resolution to the secretary of state